

1-1 By: Miles S.B. No. 1220  
 1-2 (In the Senate - Filed March 2, 2017; March 9, 2017, read  
 1-3 first time and referred to Committee on Education; April 19, 2017,  
 1-4 reported favorably by the following vote: Yeas 11, Nays 0;  
 1-5 April 19, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Taylor of Galveston	X			
1-8 Lucio	X			
1-9 Bettencourt	X			
1-10 Campbell	X			
1-11 Hall	X			
1-12 Huffines	X			
1-13 Hughes	X			
1-14 Seliger	X			
1-15 Taylor of Collin	X			
1-16 Uresti	X			
1-17 West	X			

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to ensuring continuity of education and access to higher  
 1-22 education, career information, and skills certification for foster  
 1-23 care youth and former foster care youth.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 25.007(b), Education Code, as amended by  
 1-26 Chapters 746 (H.B. 1804), 822 (H.B. 3748), and 1206 (S.B. 1494),  
 1-27 Acts of the 84th Legislature, Regular Session, 2015, is reenacted  
 1-28 and amended to read as follows:

1-29 (b) In recognition of the challenges faced by students who  
 1-30 are homeless or in substitute care, the agency shall assist the  
 1-31 transition of students who are homeless or in substitute care from  
 1-32 one school to another by:

1-33 (1) ensuring that school records for a student who is  
 1-34 homeless or in substitute care are transferred to the student's new  
 1-35 school not later than the 10th working day after the date the  
 1-36 student begins enrollment at the school;

1-37 (2) developing systems to ease transition of a student  
 1-38 who is homeless or in substitute care during the first two weeks of  
 1-39 enrollment at a new school;

1-40 (3) developing procedures for awarding credit,  
 1-41 including partial credit if appropriate, for course work, including  
 1-42 electives, completed by a student who is homeless or in substitute  
 1-43 care while enrolled at another school;

1-44 (4) developing procedures to ensure that a new school  
 1-45 relies on decisions made by the previous school regarding placement  
 1-46 in courses or educational programs of a student who is homeless or  
 1-47 in substitute care and places the student in comparable courses or  
 1-48 educational programs at the new school, if those courses or  
 1-49 programs are available;

1-50 (5) promoting practices that facilitate access by a  
 1-51 student who is homeless or in substitute care to extracurricular  
 1-52 programs, summer programs, credit transfer services, electronic  
 1-53 courses provided under Chapter 30A, and after-school tutoring  
 1-54 programs at nominal or no cost;

1-55 (6) [~~5~~] establishing procedures to lessen the  
 1-56 adverse impact of the movement of a student who is homeless or in  
 1-57 substitute care to a new school;

1-58 (7) [~~6~~] entering into a memorandum of understanding  
 1-59 with the Department of Family and Protective Services regarding the  
 1-60 exchange of information as appropriate to facilitate the transition  
 1-61 of students in substitute care from one school to another;

2-1                   (8) [~~(7)~~] encouraging school districts and  
 2-2 open-enrollment charter schools to provide services for a student  
 2-3 who is homeless or in substitute care in transition when applying  
 2-4 for admission to postsecondary study and when seeking sources of  
 2-5 funding for postsecondary study;

2-6                   (9) [~~(8)~~] requiring school districts, campuses, and  
 2-7 open-enrollment charter schools to accept a referral for special  
 2-8 education services made for a student who is homeless or in  
 2-9 substitute care by a school previously attended by the student, and  
 2-10 to provide comparable services to the student during the referral  
 2-11 process or until the new school develops an individualized  
 2-12 education program for the student;

2-13                   (10) [~~(9)~~] requiring school districts, campuses, and  
 2-14 open-enrollment charter schools to provide notice to the child's  
 2-15 educational decision-maker and caseworker regarding events that  
 2-16 may significantly impact the education of a child, including:

2-17                   (A) requests or referrals for an evaluation under  
 2-18 Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), or  
 2-19 special education under Section 29.003;

2-20                   (B) admission, review, and dismissal committee  
 2-21 meetings;

2-22                   (C) manifestation determination reviews required  
 2-23 by Section 37.004(b);

2-24                   (D) any disciplinary actions under Chapter 37 for  
 2-25 which parental notice is required;

2-26                   (E) citations issued for Class C misdemeanor  
 2-27 offenses on school property or at school-sponsored activities;

2-28                   (F) reports of restraint and seclusion required  
 2-29 by Section 37.0021; and

2-30                   (G) use of corporal punishment as provided by  
 2-31 Section 37.0011;

2-32                   (11) [~~(10)~~] developing procedures for allowing a  
 2-33 student who is homeless or in substitute care who was previously  
 2-34 enrolled in a course required for graduation the opportunity, to  
 2-35 the extent practicable, to complete the course, at no cost to the  
 2-36 student, before the beginning of the next school year;

2-37                   (12) [~~(11)~~] ensuring that a student who is homeless or  
 2-38 in substitute care who is not likely to receive a high school  
 2-39 diploma before the fifth school year following the student's  
 2-40 enrollment in grade nine, as determined by the district, has the  
 2-41 student's course credit accrual and personal graduation plan  
 2-42 reviewed;

2-43                   (13) [~~(12)~~] ensuring that a student in substitute care  
 2-44 who is in grade 11 or 12 be provided information regarding tuition  
 2-45 and fee exemptions under Section 54.366 for dual-credit or other  
 2-46 courses provided by a public institution of higher education for  
 2-47 which a high school student may earn joint high school and college  
 2-48 credit; ~~and~~

2-49                   (14) [~~(13)~~] designating at least one agency employee  
 2-50 to act as a liaison officer regarding educational issues related to  
 2-51 students in the conservatorship of the Department of Family and  
 2-52 Protective Services; and

2-53                   (15) [~~(14)~~] providing other assistance as identified  
 2-54 by the agency.

2-55                   SECTION 2. Section 25.007, Education Code, is amended by  
 2-56 adding Subsection (c) to read as follows:

2-57                   (c) The commissioner may establish rules to implement this  
 2-58 section and to facilitate the transition between schools of  
 2-59 children who are homeless or in substitute care.

2-60                   SECTION 3. Subchapter B, Chapter 264, Family Code, is  
 2-61 amended by adding Section 264.1211 to read as follows:

2-62                   Sec. 264.1211. CAREER DEVELOPMENT AND EDUCATION PROGRAM.

2-63                   (a) The department shall collaborate with local workforce  
 2-64 development boards, foster care transition centers, community and  
 2-65 technical colleges, schools, and any other appropriate workforce  
 2-66 industry resources to create a program that:

2-67                   (1) assists foster care youth and former foster care  
 2-68 youth in obtaining:

2-69                   (A) a high school diploma or a high school

3-1 equivalency certificate; and  
 3-2 (B) industry certifications that are necessary  
 3-3 for occupations that are in high demand;  
 3-4 (2) provides career guidance to foster care youth and  
 3-5 former foster care youth; and  
 3-6 (3) informs foster care youth and former foster care  
 3-7 youth about the tuition and fee waivers for institutions of higher  
 3-8 education that are available under Section 54.366, Education Code.

3-9 (b) Not later than September 1, 2018, the department, in  
 3-10 collaboration with the Texas Education Agency, shall produce a  
 3-11 report on the program created under Subsection (a). The report must  
 3-12 include recommendations for legislative or other action to further  
 3-13 develop the program. The department shall submit the report to the  
 3-14 governor, the lieutenant governor, the speaker of the house of  
 3-15 representatives, and the standing committees of the legislature  
 3-16 with jurisdiction over education. This subsection expires  
 3-17 September 1, 2019.

3-18 SECTION 4. Section 25.007(b), Education Code, as reenacted  
 3-19 and amended by this Act, applies beginning with the 2017-2018  
 3-20 school year.

3-21 SECTION 5. To the extent of any conflict, this Act prevails  
 3-22 over another Act of the 85th Legislature, Regular Session, 2017,  
 3-23 relating to nonsubstantive additions to and corrections in enacted  
 3-24 codes.

3-25 SECTION 6. This Act takes effect immediately if it receives  
 3-26 a vote of two-thirds of all the members elected to each house, as  
 3-27 provided by Section 39, Article III, Texas Constitution. If this  
 3-28 Act does not receive the vote necessary for immediate effect, this  
 3-29 Act takes effect September 1, 2017.

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